

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Dennis Pointer,	)	
	)	Case No. C-1-02-486
Plaintiff,	)	
	)	
vs.	)	
	)	
Sergeant Lyons, et al.,	)	
	)	
Defendants.	)	

O r d e r

This matter is before the Court upon Plaintiff's motions for relief from judgment (Doc. 73) and for reconsideration (Doc. 74). The motion for relief from judgment is based upon an assertion of fraud. Plaintiff has not explained, however, nor offered evidence to show that Defendants were in any way responsible for the alleged attempted overcharging for postage on his legal mail from the institution. Accordingly, his assertion of fraud does not support his request for relief from the judgment entered in this matter, and his motion for relief from judgment (Doc. 73) is hereby **DENIED**. Plaintiff's motion for reconsideration is based upon a misapprehension of the legal authority for the actions of the Magistrate Judge in this matter. The Court did not, as Plaintiff asserts, believe that Plaintiff had consented to ultimate

disposition by the Magistrate Judge. Plaintiff's motion for reconsideration (Doc. 74) is also, therefore, **DENIED**.

**IT IS SO ORDERED.**

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/s/  
Sandra S. Beckwith  
United States District Judge